

Remarks

112 Rejections

Claims 7-11, 16-19 have been rejected under 35 USC 112(2) for indefiniteness.

Claims 7-11 have been rejected for using the term “anticipated” in claim 7. Claim 7 has been amended to eliminate the term “anticipated” and to use language that is similar to the language in claim 1.

Claim 16 has been rejected for using the term “expire” in relation to a timer. This term has been replaced by the term “timing out”, support for which may be found in the specification at the bottom of page 8.

Claims 17-19 have been rejected for vagueness for using the phrase “developing code for execution” in claim 17. Applicants maintain that this term is not vague. “Developing code” is a common industry phrase that may encompass any of various processes for producing the code. Such processes may include any or all of: producing assembly line code, compiling code, converting source code to object code, etc. Since the claim recites instructions that will perform those functions, it is clearly software that is to perform these functions. This appears to be an issue of the breadth of the term, not of vagueness. The rejection further states that the phrase “the code to extend between the first and second memory banks” is indefinite. The claim has been amended to more clearly state that the memory locations in which the code resides are to extend between the memory banks. The rejection further states that the phrase “said code execution” has no antecedent basis. The claim has been amended to remove the word “said”. In

addition, a typographical error has been corrected by changing the word “band” to “bank”.

Reconsideration and withdrawal of all rejections under 35 USC 112 is respectfully requested.

Prior art rejections

Claims 1-3 and 5-19 have been rejected under 35 USC 102(e) as being anticipated by U.S. patent no. 7,028,200 (“Ma”).

Claim 4 has been rejected under 35 USC 103(a) as being unpatentable over Ma.

Applicants respectfully traverse these rejections because the cited references do not disclose or suggest every element of any pending claim, as the following analysis shows.

Claims 1, 7, and 12 recite determining if the current address in the first memory bank is within a pre-determined number of address locations (the plural term ‘locations’, not the singular term ‘location’) of an address in the second memory bank. Ma only suggests determining if the location in the second memory bank is to be accessed next (col. 5, line 16), and thus does not encompass the case of plural locations. Further, claim 1 recites a comparator to make the determination. A comparator is not needed to determine the location of the next memory access, since the program counter circuitry will already have that value. Ma does not mention a comparator, and none is implied because none is needed in Ma’s implementation. Ma’s only reference to a more complex determination (which still fails to recite a comparator) is the prediction logic at col. 5 line

17. However, this only refers to using the prediction logic to keep a bank in an operational state, not to change it from a low power state to an operational state. Thus, Ma fails to disclose or suggest at least two limitations of claim 1, and at least one limitation of claims 7 and 12.

Claim 17 recites two different and necessary addresses in the first bank: 1) a threshold address in the first bank, and 2) a location above the threshold address in the first bank. Ma only has one necessary address in the first bank: a location that, when accessed, indicates the next access will be in the second memory bank. Ma does not disclose or suggest two separate memory addresses that are used together to initiate the indicated operation.

Thus, Ma does not disclose or suggest every limitation in any of independent claims 1, 7, 12, and 17. The remaining pending claims each depend, either directly or indirectly, from one of claims 1, 7, 12, and 17, and therefore contain the same limitations not disclosed or suggested by Ma.

Conclusion

For the foregoing reasons, it is submitted that the application is in condition for allowance, and indication of allowance by the Examiner is respectfully requested. If the Examiner has any questions concerning this application, he or she is requested to telephone the undersigned at the telephone number shown below as soon as possible. If any fee insufficiency or overpayment is found, please charge any insufficiency or credit any overpayment to Deposit Account No. 02-2666.

Respectfully submitted,

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